

JPW



PATENT  
Customer No. 22,852  
Attorney Docket No. 08790.0012

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
John P. DONOGHUE et al.	)	Group Art Unit: 1614
	)	
Application No.: 10/798,919	)	Examiner: Unassigned
	)	
Filed: March 12, 2004	)	
	)	
For: NEUROLOGICAL EVENT	)	
MONITORING AND THERAPY	)	
SYSTEMS AND RELATED	)	
METHODS	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the document listed on the attached IDS Form PTO/SB/08. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

A copy of the listed non-patent literature is attached. Applicants respectfully request that the Examiner consider the listed document and indicate that it was considered by making appropriate notations on the attached IDS Form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "prior art." If the Examiner applies the document as prior art

against any claim in the application and Applicants determine that the cited document does not constitute "prior art" under United States law, Applicants reserve the right to present to the Patent Office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

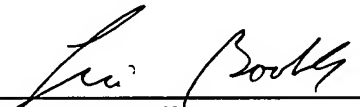
If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

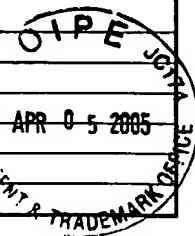
Dated: April 5, 2005

By: \_\_\_\_\_

  
Leslie I. Bookoff  
Reg. No. 38,084

878453.1

IDS Form PTO/SB/08: Substitute for form 1449A/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				Application Number	10/798,919
				Filing Date	March 12, 2004
				First Named Inventor	John P. DONOGHUE et al.
				Art Unit	1614
				Examiner Name	Unassigned.
Attorney Docket Number	08790.0012				
Sheet	1	of	1		



U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

**Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.**

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>
		Norretranders, Tor, "Chapter 2: The Origin of Consciousness," <u>The User Illusion</u> , Penguin Books, 1991, pp. 310-328	

Examiner Signature	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.